

**Wilson, James**

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**From:** Wilson, James  
**Sent:** Sunday, May 02, 2004 6:46 PM  
**To:** Wilson, James  
**Subject:** Decision on 08/648,270 Appeals conference

This subject matter is indeed allowable.  
Your 112 1st rejections under enablement  
and written description are poorly developed  
and I deem them to be improper.

Note:  
Office personnel must always remember to use  
the perspective of one of ordinary skill in the art.  
Claims and disclosures are not to be evaluated  
in a vacuum. If elements of an invention are well  
known in the art, the applicant does not have to  
provide a disclosure that describes those elements.

See specification text of US Patent 5,824,796  
Note the case is a continuation of a case dating back  
to 1989.

See also 5,047,519  
This case was filed in 1987.

Tagged and/or highlighted disclosure shows the use of  
palladium mediated coupling of a halogenated nucleoside  
to give an acetylene-coupled product or an alkynyl-coupled  
product are indeed well known in the art. Your search should  
have helped you establish this as fact.

You are to allow this case or object to the specification to  
establish that the disclosure attempts to incorporate  
essential subject matter, see pages:

Page 19, lines 17-18  
Page 20, lines 2-3 following Scheme V  
Page 22, lines 13-14.

Even if you choose not to object to the specification, the  
claims are enabled in view of the knowledge one skilled in  
this art possessed at the time the invention was made.